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6 **UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF CALIFORNIA**  
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9 KENNETH WEBERG,

10 Plaintiff,

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15 vs.  
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21 THE UNITED STATES OF AMERICA, et  
al.,

22 Defendant.  
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CASE NO. 09cv0277-MMA(BGS)

**ORDER:**

**GRANTING JOINT MOTION FOR  
DISMISSAL OF CERTAIN  
DEFENDANTS WITH  
PREJUDICE;**

[Doc. No. 72]

**GRANTING JOINT MOTION FOR  
DISMISSAL OF HUGO LEON  
WITH PREJUDICE;**

[Doc No. 75]

**DENYING DEFENDANT  
ANTONIO ARELLANO'S  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT AS  
MOOT;**

[Doc. No. 68]

**DENYING DEFENDANT HUGO  
LEON'S MOTION FOR  
SUMMARY JUDGMENT  
AS MOOT;**

[Doc. No. 57]

**VACATING ALL HEARING  
DATES AND DEADLINES**

1 On October 3, 2011, Plaintiff Kenneth Weberg and Defendants United States, Ronald  
2 Findley, James Williams, Jose Petris, Antonio Arellano, and Hugo Leon (collectively, the  
3 “parties”) filed a notice of voluntary dismissal of certain defendants pursuant to Federal Rule of  
4 Civil Procedure 41(a)(1), requesting the Court to dismiss Defendants Ronald Findley, James  
5 Williams, Jose Petris and Antonio Arellano, with prejudice. [Doc. No. 72.] On the same day,  
6 Defendant United States filed a notice of settlement, and requested the Court vacate all remaining  
7 dates on the Court’s calendar to allow the parties ninety days to file dispositional documents. [Doc  
8 No. 73.] On October 4, the parties also filed a joint motion to dismiss Hugo Leon with prejudice,  
9 pursuant to Federal Rule of Civil Procedure 41(a)(1). [Doc. No. 75.] The parties’ joint motions  
10 affect Defendants Hugo Leon’s and Antonio Arellano’s motions for summary judgment, filed on  
11 August 24, 2011 and September 9, 2011, respectively.

12 Having considered the parties’ joint motions, and good cause appearing, the Court hereby  
13 **GRANTS** (1) the parties’ joint motion for dismissal of Defendants Ronald Findley, James  
14 Williams, Jose Petris and Antonio Arellano [Doc No. 72], and (2) the parties’ joint motion for  
15 dismissal of Hugo Leon. [Doc. No. 75.] Accordingly, the Court **ORDERS** as follows:

16 1. Plaintiff’s action against Defendants Ronald Findley, James Williams, Jose Petris,  
17 Antonio Arellano and Hugo Leon is **DISMISSED WITH PREJUDICE**.

18 2. Defendant Hugo Leon’s motion for summary judgment [Doc. No. 57] is **DENIED**  
19 **AS MOOT**.

20 3. Defendant Antonio Arellano’s motion for partial summary judgment [Doc. No. 68]  
21 is **DENIED AS MOOT**.

22 4. All remaining hearing dates and deadlines for the above-captioned action are  
23 **VACATED**. The remaining parties shall file a joint motion to dismiss within ninety days of this  
24 Order. If a request for dismissal is not filed, the vacated deadlines shall be reset.

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Michael M. Quello

Hon. Michael M. Anello  
United States District Judge